GOVERNMENT OF MYSORE.

LABOUR AND MUNICIPAL ADMINISTRATION DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Consolidated Coffee Estate Ltd., Pollibetta Post, Coorg District

Award of the Industrial Tribunal, Bangalore—published.

Read the following papers :—

(1) Letter No. 2435/66-67, dated 2nd February 1967, from Shri A. Panchaksharaiah, Presiding Officer, Industrial Tribunal Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 2nd February 1967.

Present :

Sri A. Panchaksharaiah, B.A. (Hons.), LL.B. *Presiding Officer.*

I.D No 138 of 1966.

First Party :		*Second Party :*
The Workmen of Consolidated Coffee Estate Limited, Pollibetta Post, Coorg District.	—*Vs*—	The Management of Consolidated Coffee Estate Ltd., Pollibetta Post, Coorg District.

Appearances.

For the I Party.—Sri Pinto, Secretary, Mysore State Estates Staffs' Union of South India, Chickmagalur.

For the II Party.—Sri K. Ramdas, Assistant Secretary, The Mysore State Planters' Association, Chickmagalur.

Reference :

Government Order No. LMA 276 LLD 66, Bangalore, dated 28th June 1966.

AWARD

The Government of Mysore in exercise of the Powers conferred upon them under Section 10 (1) (d) of the Industrial Disputes Act, 1947, (Central Act XIV of 1947), referred an industrial dispute existing between the workmen and the Management of Consolidated Coffee Estates Ltd., Pollibetta Post, Coorg District, in No LMA 276 LLD 66, dated 25th June 1966. The dispute is in relation to the Management of Consolidated Coffee Estates Ltd., Pollibetta, Coorg District, witholding the increments due to three of his employees *viz.*, 1) O. R. Nanjappa, Assistant Overseer, Bellumany Estate, (2) T. G. Nanaiah, Assistant Overseer, Conankad Estate and (3) M. A. Nanjunda, Kottabetta Estate. It is the claim of these three persons that increments due to them from 1st July 1965 have not been given by the II Party-Management After the receipt of the Reference, the same has been registered as I. D. No. 138 of 1966.

2. The I party filed the claim statement on 22nd July 1966. The I party contended that the above three workmen are working in the Coffee Estates belonging to the Consolidated Coffee Estates (1943) Ltd., Pollibetta P. O., Coorg District. This Company is a party to the agreement regarding salary scales for the staff. The scales of salary which these 3 employees are put in are also given. As on 1st July 1965, each one of the 3 workers are drawing Rs. 150 and are entitled to further increments. These increments have been denied without any reason. It is contended by the I Party workmen that this amounts to victimisation and unfair labour practice. Therefore, they have requested the Tribunal to direct the II Party-Management to sanction the necessary increments due to them.

3. On 24th October 1966, the II Party filed the counter statement in which the II Party contended that the II Party is a Member of the Mysore State Planters' Association, Chickmaglur. The Mysore State Planters' Association and the Estates Staffs' Union of South India have entered into an industry-wide settlement on 4th June 1966. Both the I Party and the II Party are bound by the above settlement. As per that Settlement, the salary as on 1st July 1965 of the above 3 workmen, which are mentioned in the claim statement are correct. The contention that the I Party Workmen have been pegged at efficiency bar only to victimise and harass them is denied. On account of inefficiency of these three workmen, they were not able to get over the efficiency bar.

On these grounds, the claims of these three persons to earn increments have been denied.

4. On the basis of these pleadings, no more Issues were necessary than the one that is framed and sent by the Government.

5 The case came up for evidence on 12th December 1966 at my Mercara Camp. The I Party was not ready on 12th December 1966 and requested for an adjournment by means of a telegram. The case was then adjourned to this day for recording evidence, at Mysore Camp. On 1st February 1967, all the three workers at whose instance the dispute was raised were present before the Tribunal. The II Party represented by Sri K. Ramdas, was also present. Earlier to this, all these three workmen have sent a separate petition on 27th January 1967 stating they had no more disputes with the II Party Management and they have requested to permit them to withdraw the above dispute. On 1st February 67 all the three workmen appeared before me at my Mysore Camp and admitted to have sent the three petitions shown to them. They further submitted that they are not pressing the dispute and the Reference may be rejected for non-prosecution. Accordingly, reject the Reference as the same is not established by the I Party. Under the circumstances, each party to bear its own costs.

A. PANCHAKSHARIAH,
Presiding Officer,
Industrial Tribunal,
Bangalore

ORDER.

Bangalore, dated 15th/21st February 1967.

S. O. 624.—WHEREAS by State Government Order No. PLM 276 LLD 66, dated 28th June 1966, the Industrial Dispute between the Workmen and the Management of Consolidated Coffee Estate Ltd., Pollibetta Post Coorg District was referred to the Industrial Tribunal, Bangalore, for adjudication;

AND WHEREAS the Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore, are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 276 LLD 66.]

By Order and in the name of the Governor of Mysore,

3071 G. G. PUROHIT, *Under Secy.*